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*SECURITAS SECURITY SERVICES USA, INC. and*  
*SMITH'S FOOD & DRUG CENTERS, INC.*

**UNITED STATES DISTRICT COURT  
STATE OF NEVADA**

KIRK MAYEDA,

Plaintiff,

vs.

SMITH'S FOOD & DRUG CENTERS, INC. a/k/a  
KROGER, a Foreign Corporation; SECURITAS  
SECURITY SERVICES USA, INC., a Foreign  
Corporation; DOE EMPLOYEE; DOES I-X; ROE  
ENTITIES I-X, inclusive,

Defendants.

EJY

Case No.: 2:24-cv-01733-CDS-~~MDC~~

**STIPULATION TO EXTEND DISCOVERY  
PLAN AND SCHEDULING ORDER  
(FOURTH REQUEST)**

**SUBMITTED IN COMPLIANCE WITH LR  
26-3**

Plaintiff, KIRK MAYEDA ("Plaintiff"), by and through his attorneys KAPLAN LAW GROUP,  
Defendants SECURITAS SECURITY SERVICES USA, INC. and SMITH'S FOOD & DRUG  
CENTERS, INC. ("Defendants"), by and through their attorneys SPRINGEL & FINK LLP, hereby  
stipulate and agree that the discovery schedule be extended pursuant to LR 26-3.

Plaintiff filed a First Amended Complaint on December 18, 2024. Smith's filed its Answer on  
December 26, 2024. Securitas filed its Answer on February 5, 2025. The First Request for a Stipulation  
and Order to Extend Discovery deadlines by 60 days, was granted on January 7, 2025. A Discovery Order

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between Plaintiff and Smith's was entered on February 10, 2025. On February 7, 2025, in accordance with Fed. R. Civ. P. 26 (f), counsel for Plaintiff, Smith's and Securitas held a meet and confer. A Proposed Discovery Order and Plan was granted on February 28, 2025. On June 9, 2025, Plaintiff filed a Motion for Leave to Amend the Complaint to Add a Party. The parties are actively engaged in ongoing settlement discussions and are diligently working to schedule party depositions in advance of expert disclosures. This Stipulation is submitted to preserve the parties' respective rights and to ensure that, should settlement negotiations prove unsuccessful, the litigation proceeds efficiently and without unnecessary delay.

Accordingly, the parties jointly request an extension of 120 days to the current discovery deadlines to allow sufficient time to complete necessary discovery. This request is made in good faith, based on the parties' diligent efforts to advance both settlement and discovery, and is not sought for the purpose of delay.

**I. Discovery Conducted to Date (LR 26-4(a)):**

Plaintiff served his Initial FRCP 26.1 Disclosures on October 22, 2024; Smith's served its Initial FRCP 26.1 Disclosures on October 31, 2024; and Securitas served its Initial FRCP 26.1 disclosures on May 28, 2025.

Plaintiff propounded written discovery to Securitas and Securitas responded to same. Plaintiff propounded written discovery to Defendant, Smith's and Defendant Smith's has yet to respond to same. Defendant Smith's has propounded written discovery to Plaintiff and Plaintiff has responded to same.

**II. Discovery to be Conducted (LR 26-4(b)):**

1. Obtain Plaintiff's medical records;
2. Written discovery to be propounded by Securitas to Plaintiff;
3. Written discovery to be propounded by Securitas to Defendant, Smith's;
4. Deposition of Plaintiff, Kirk Mayeda;
5. Deposition of NRCP 30(b)(6) for Securitas Security Services USA, Inc.;
6. Deposition of NRCP 30(b)(6) for Smith's Food & Drug Centers, Inc. aka Kroger;
7. Depositions of other fact witnesses present during the subject incident;
8. Plaintiff to provide all necessary executed authorizations to Defendant, Securitas;
9. Supplemental FRCP 26(a)(1) disclosures;

10. Expert disclosures;

11. Deposition of parties' treating physicians and/or experts; and

12. Any additional discovery that is necessary as the parties proceed through discovery.

### III. Electronic Service:

The parties have agreed that, to the extent possible in light of the volume of the submission, all court filings, to the extent not served through ECF (e.g., filings under seal), may be served via -mail, and such service shall constitute proper service under Fed. R. Civ. P. 5(b)(2)E. The parties have further agreed that each party may serve discovery, in lieu of other service methods, by mail under Fed. R. Civ. P. 5(b)(2)E on all counsel who have entered an appearance on behalf of the party to be served.

### IV. Proposed Schedule for Completing All Remaining Discovery (LR 26-4(d)):

The current discovery deadlines are as follows:

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|--|--------------------|
| 1. Amend Pleadings and Add Parties (Lr 26-1(B(2)): | Closed             |
| 2. Initial Expert Disclosures (LR 26-1(b)(3)):     | September 12, 2025 |
| 3. Rebuttal Expert Disclosures (LR 26-1(b)(3)):    | October 13, 2025   |
| 4. Dispositive Motions (LR 26-1(b)(4)):            | December 12, 2025  |
| 5. Discovery Cutoff (LR 26-1(b)(1)):               | November 11, 2025  |
| 6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)):     | January 12, 2026   |

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**The parties propose extending all discovery deadlines by sixty (120) days as follows:**

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|---|-------------------|
| 1. Amend Pleadings and Add Parties (LR 26-1(b)(2)): | Closed            |
| 2. Initial Expert Disclosures (LR 26-1(b)(3)):      | January 12, 2026  |
| 3. Rebuttal Expert Disclosures (LR 26-1(b)(3)):     | February 10, 2026 |
| 4. Dispositive Motions (LR 26-1(b)(4)):             | April 13, 2026    |
| 5. Discovery Cutoff (LR 26-1(b)(1)):                | March 11, 2026    |
| 6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)):      | May 12, 2026      |

DATED this 28<sup>th</sup> day of August 2025.

DATED this 28<sup>th</sup> day of August 2025.

**SPRINGEL & FINK LLP**

**KAPLAN LAW GROUP**

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*KIRK MAYEDA*

**IT IS SO ORDERED.**

Dated this 29th day of August, 2025.

  
UNITED STATES MAGISTRATE